

## **MINUTES**

### **MONTANA SENATE 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN EDWARD BUTCHER**, on March 11, 2003 at 3:03 P.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Edward Butcher, Chairman (R)  
Sen. Duane Grimes, Vice Chairman (R)  
Sen. Sherm Anderson (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Mike Cooney (D)  
Sen. Aubyn Curtiss (R)  
Sen. Bob DePratu (R)  
Sen. Dan Harrington (D)  
Sen. Sam Kitzenberg (R)  
Sen. Jerry O'Neil (R)  
Sen. Gerald Pease (D)  
Sen. Glenn Roush (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Pat Murdo, Legislative Branch  
Roberta Opel, Committee Secretary

**Video-taped Committee:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

**Committee Business Summary:**

Hearing & Date Posted:	HB 237, 3/11/2003, HB 71, 3/11/2003, HB 215, 3/11/2003, HB 556, 3/11/2003,
Executive Action:	HB 250, HB 105, HB 67, HB 71, HB 556, HB 215

**Discussion on HB 250:**

3:03pm Begin  
3:05pm End  
2 min Elapsed time

**EXECUTIVE ACTION ON HB 250**

**Motion:** Motion by SEN. DUANE GRIMES to reconsider previous action on HB 250.

**Discussion:**

3:05pm Begin  
3:08pm End  
3 min Elapsed time

**Vote:** Motion to reconsider carried unanimously.

**Motion:** SEN. GRIMES moved HB 250 BE CONCURRED IN and to strike all previous amendments.

**Vote:** Motion carried unanimously.

**Motion:** SEN. GRIMES moved HB 250 BE CONCURRED IN. Motion carried unanimously.

**EXECUTIVE ACTION ON HB 105**

**Motion:** SEN. GRIMES moved HB 105 BE CONCURRED IN.

**Discussion:**

3:10pm Begin  
3:15pm End  
5 min Elapsed time

**Informational Witnesses and Testimony:**

3:15pm Jim Currie, MT. Dept. of Transportation

3:16pm SEN. VICKI COCCHIARHELLA moved HB 105 BE CONCURRED IN. Motion carried unanimously.

**EXECUTIVE ACTION ON HB 67**

**NOTE:** An Unofficial Draft Copy, Grey Bill, was submitted to the committee regarding HB 67 and AMENDMENT HB006701.apm.

**EXHIBIT**(his51a01)

and **EXHIBIT**(his51a02)and AMENDMENT HB006703.alk was also submitted. **EXHIBIT**(his51a03)

**Motion:** Motion by SEN. MIKE COONEY to reconsider HB 67.

**Substitute Motion/Vote:** Substitute motion by SEN. JERRY O'NEIL TO INDEFINITELY POSTPONE HB 67. Motion failed 8-4 on a roll call with SENATORS ANDERSON, COCCHIARELLA, COONEY, DEPRATU, HARRINGTON, KITZENBERG, PEASE and ROUSH voting no.

**Discussion:**

3:20pm Begin

3:33pm End

13 min Elapsed time

**NOTE:** COMMITTEE STOOD AT RECESS FROM 3:30PM to 3:35PM.

**HEARING ON HB 237**

**Opening Statement by Sponsor:** REP. JOHN BRUEGGEMAN, HD 74; require muffler on motor vehicle with compression brakes.

**Proponents' Testimony:**

4:30pm Spook Stang, MT. Motor Carriers Association

**EXHIBIT**(his51a04)

**Opponents' Testimony:** None

**Informational Witnesses and Testimony:**

4:35pm Jesse Oldham, representing himself

**Questions from Committee Members and Responses:** None

4:37pm Begin

4:45pm End

8 min Elapsed time

**Closing by Sponsor:**

4:45pm SEN. BRUEGGEMAN closed the hearing on HB 237.

**HEARING ON HB 71**

**NOTE:** Pat Murdo, Research Analyst, submitted MCA information regarding HB 71. **EXHIBIT**(his51a05)

**Opening Statement by Sponsor:** REP. KARL WAITSCHIES, HD 96, Glasgow-Scobey area, presented HB 71 to the committee; to remove the sunset on MDT diesel vehicle inspection authority.

**Proponents' Testimony:**

3:50pm Jim Currie, MT. Dept. of Transportation **EXHIBIT**(his51a06)

3:53pm Bob Gilbert, MT. Petroleum Marketers and C-Stores

3:54pm Spook Stang, MT. Motor Carriers Association

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**

3:55pm Begin

3:56pm End

1 min Elapsed time

**Closing by Sponsor:**

3:55pm REP. WAITSCHIES closed the hearing on HB 71.

**EXECUTIVE ACTION ON HB 71**

**Motion/Vote:** SEN. DAN HARRINGTON moved HB 71 BE CONCURRED IN.  
Motion carried unanimously.

**HEARING ON HB 215**

**Opening Statement by Sponsor:** REP. JOHN BRUEGGEMAN, HD 74, Polson; fee for reinstatement of driver's license.

**Proponents' Testimony:**

4:11pm Brenda Nordlund, MT. Dept. of Justice **EXHIBIT**(his51a07)

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**

3:17pm Begin

3:27pm End

10 min Elapsed time

**Closing by Sponsor:**

3:27pm **SEN. BRUEGGEMAN** closed on the hearing.

**EXECUTIVE ACTION ON HB 215**

**Motion:** Motion by **SEN. COONEY** HB 215 BE CONCURRED IN.

**Discussion:**

4:47pm Begin

4:38pm End

11 min Elapsed time

**Motion:** **SEN. COONEY** moved a conceptual amendment.

**Vote:** Motion to adopt a conceptual amendment carried unanimously.

**Motion:** **SEN. O'NEIL** moved to amend the bill with a conceptual amendment.

**Discussion:**

4:50pm Begin

5:01pm End

11 min Elapsed time

**Substitute Motion:** Substitute Motion by **SEN. O'NEIL** to withdraw his previous conceptual amendment and propose a different conceptual amendment.

**Vote:** Motion failed 10-2 with **SENATORS BUTCHER, ANDERSON, COCCHIARELLA, COONEY, DEPRATU, HARRINGTON, KITZENBERG, PEASE ROUSH** and **GRIMES** voting no.

**HEARING ON HB 556**

**Opening Statement by Sponsor:** **REP. DAVE GALLIK, HD 52, Helena,** presented HB 556; to require a separate registration period for motor homes with amateur radio license plates.

**Proponents' Testimony:**

3:40pm Dean Roberts, Administrator, Motor Vehicle Division

3:40pm Irvin Davis, representing himself **EXHIBIT(his51a08)**

**Opponents' Testimony:** None

**Questions from Committee Members and Responses:**

3:42pm Begin

3:44pm End

2 min Elapsed time

**Closing by Sponsor:**

3:44pm **REP. GALLIK** closed on the bill.

**EXECUTIVE ACTION ON HB 556**

**Motion:** Motion by **SEN. BOB DEPRATU** HB 556 BE CONCURRED IN. He proposed a conceptual amendment.

**Vote:** Motion carried unanimously.

**Motion:** Motion by **SEN. DEPRATU** HB 556 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

**NOTE:** Committee recessed from 3:59pm until 4:10pm.

**EXECUTIVE ACTION ON HB 215**

**Motion/Vote:** Motion HB 215 BE CONCURRED IN carried 10-1 with **SENATOR O'NEIL** voting no.

**ADJOURNMENT**

Adjournment: 4:47 P.M.

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SEN. EDWARD BUTCHER, Chairman

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ROBERTA OPEL, Secretary

EB/RO

**EXHIBIT**(his51aad)